

**MINUTES OF THE MEETING OF THE
BOARD OF PSYCHOLOGY**

July 20, 2018

These minutes were approved by the Board on September 21, 2018
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1. ROLL CALL and CALL MEETING TO ORDER

The meeting of the Board of Psychology was called to order by the Chair, Stephanie Bruhn, at 10:04 a.m. in Lower Level Conference Room A, State Office Building, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law. The following members answered the roll call:

MEMBERS PRESENT

Stephanie Bruhn, PhD
Karen Billingsley
Mary Fran Flood, PhD
Mark Lukin, PhD
Jerry Van Winkle, PsyD
Stacy Waldron, PhD

BOARD REPRESENTATION

Chair
Member
Secretary
Member
Member
Vice-Chair

MEMBERS ABSENT

Jennifer Dreibelbis

Member

OTHERS PRESENT

Kris Chiles
Mindy Lester
Anna Harrison
Carla Cue
Trevor Klaassen
Mark Meyerson

AGENCY REPRESENTATION

Licensure Unit
Attorney General's Office
Compliance Monitor
Investigator
Investigator
Investigator

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Waldron moved, seconded by Lukin, to adopt the agenda. A roll call vote was taken. Voting aye: Billingsley, Bruhn, Flood, Lukin, Van Winkle, Waldron (6). Voting nay: None (0). Absent: Dreibelbis (1). Motion carried.

3. APPROVAL OF MINUTES (5-18-18)

MOTION: Billingsley moved, seconded by Waldron, to approve the minutes of 5-18-18. A roll call vote was taken. Voting aye: Billingsley, Bruhn, Flood, Lukin, Van Winkle, Waldron (6). Voting nay: None (0). Abstain: None (0). Absent: Dreibelbis (1). Motion carried.

4. INVESTIGATIVE REPORTS AND CONFIDENTIAL INFORMATION RELATING TO APPLICATIONS – CLOSED SESSION

MOTION: Billingsley moved, seconded by Van Winkle, to enter into closed session at 10:06 a.m. Billingsley announced that the purpose was to hear discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Bruhn repeated the motion purpose. A roll call vote was taken. Voting aye: Billingsley, Bruhn, Flood, Lukin, Van Winkle, Waldron (6). Voting nay: None (0). Absent: Dreibelbis (1). Motion carried.

10:18 a.m.	-	Van Winkle and Waldron departed meeting (conflict)
10:26 a.m.	-	Van Winkle entered meeting
		Harrison departed meeting
10:33 a.m.	-	Harrison entered meeting
10:35 a.m.	-	Harrison departed meeting

10:39 a.m. - Waldron entered meeting
Break
10:54 a.m. - Meeting resumed

MOTION: Waldron moved, seconded by Lukin, to enter into open session at 10:54 a.m. A roll call vote was taken. Voting aye: Billingsley, Bruhn, Flood, Lukin, Van Winkle, Waldron (6). Voting nay: None (0). Absent: Dreibelbis (1). Motion carried.

MOTION: Flood moved, seconded by Waldron, to enter into closed session at 11:08 a.m. Flood announced that the purpose was to review an application and for the prevention of needless injury to the reputation of the individual. Bruhn repeated the motion purpose. A roll call vote was taken. Voting aye: Billingsley, Bruhn, Flood, Lukin, Van Winkle, Waldron (6). Voting nay: None (0). Absent: Dreibelbis (1). Motion carried.

11:51 a.m. - Van Winkle departed meeting

MOTION: Lukin moved, seconded by Waldron, to enter into open session at 11:52 a.m. A roll call vote was taken. Voting aye: Billingsley, Bruhn, Flood, Lukin, Van Winkle, Waldron (6). Voting nay: None (0). Absent: Dreibelbis (1). Motion carried.

11:52 a.m. - Break
12:09 p.m. - Meeting resumed
Dr. Williams, Chief Medical Officer and Director of the Division of Public Health, entered meeting
2 public persons entered meeting
Van Winkle entered meeting

Moved to agenda item 6.

6. REGULATIONS (172 NAC 155)

Dr. Williams reported that the Board of Mental Health Practice and stakeholders had been meeting and were close to final drafting of referral language. Dr. Williams stated he had met with the Governor's Policy Research Office on July 19, 2018 and their position is that administrative regulations need to reflect statutory language. Therefore, since sexual orientation and gender identity are not in statute, the terms cannot be in regulations. In addition, a professional code of ethics cannot be adopted or cited in regulations that includes the words sexual orientation or gender identity. It was discussed the best way to resolve the situation might be legislation. It was also suggested to move forward now and address this at a later time.

Tom Venzor introduced himself. He commented the issue was referral. His constituents will serve individuals who are LGBT for bipolar, anxiety and other mental issues but cannot provide same sex relationship therapy or gender transition therapy based on their sincerely held beliefs. Venzor stated they could not provide a direct referral for the same reason they could not provide the same sex relationship therapy or gender transition therapy. He commented that they may be able to do an indirect referral by providing a listing of clinicians in their area. There was then a discussion about what was an appropriate referral.

Karen Bolling introduced herself. She asked about church teaching and if suicide would be committing a sin. She said the counselor may not know the number of mental issues that are inhibiting the individual and would they not want to help the individual to not commit suicide. It was suggested that counselors need to ask questions if the person presents as gay to determine what type of help they may be seeking.

Van Winkle commented that the only issue seemed to be referral. There was a discussion about a list for referral and what would it look like. A NPA or DHHS listing were suggested.

As far as discrimination, the Board discussed the need to have a list of those already in statute for unfair discrimination.

- 1:30 p.m. - Waldron, Dr. Williams, Venzor and Billingsley departed meeting
- 1:32 p.m. - Break
- 1:43 p.m. - Meeting resumed

Burhn provided a revised definition of major mental disorder that members of the Psychology and Mental Health Board had been working on. Van Winkle had a question about item #6 and had a concern as to whether “antisocial disorder” could be used as part of the person’s criminal case. It was discussed part of the reason for moving away from a list of 7 diagnoses as currently listed in the regulations is the DSM is moving towards functional impairments. The Board supported the revised definition as presented.

Moved to agenda item 5.

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

a. Applications, Education and Reinstatements

Jacqueline Farris – Psychologist Applicant

MOTION: Flood moved, seconded by Lukin, to deny the application based on the academic program not being equivalent to APA accreditation as the program did not have a one year residency. A roll call vote was taken. Voting aye: Bruhn, Flood, Lukin, Van Winkle (4). Voting nay: None (0). Absent: Billingsley, Dreibelbis, Waldron (3). Motion carried.

- 1:46 p.m. - Billingsley entered meeting

7. NEW BUSINESS

a. Correspondence

- Association of State and Provincial Psychology Boards

Chiles reported the annual meeting will be October 17-21, 2018 in Salt Lake City, UT.

- American Psychological Association

There was no report.

- Nebraska Psychological Association

There is a Medicare reimbursement increase for psychological testing. The fall conference will be October 19, 2018, at the Scott Center in Omaha. The topic is “Promoting Resilience in Patients with PTSD and Co-Occurring Disorders” by Dr. Meichenbaum.

- Justice Behavioral Health Committee

Lukin reported they were not seeing a big number of opiate users in Nebraska.

8. UPDATES/REPORTS

- Licensure and Examination Statistics / Administrative Penalties / Disciplinary and Non-Disciplinary Action Reports

Chiles circulated the disciplinary actions report since January 2018.

Examination results since January 2018:

EPPP – 4 pass, 4 fail

Statistics:

30 Days Temporary Practice – 6
Provisionally Licensed Psychologist – 39
Psychological Assistant – 106
Psychologist – 554
Psychologist Associate – 1
Special Psychologist – 6
Temporary Psychologist - 1

Chiles provides a summary of LB 1034, effective July 19, 2018, which requires psychology applicants to submit fingerprints to the State Patrol for a criminal background check through the FBI.

9. ADJOURNMENT

There being no further business, Bruhn declared the meeting adjourned at 2:13 p.m.

Respectfully submitted,

Mary Fran Flood, PhD, Secretary
Board of Psychology

Summarized by: Nancy Herdman, Health Licensing Coordinator – Licensure Unit